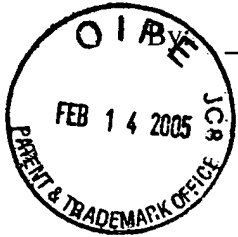


RCE ✓  
H. Langer

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.



Helene Gabel

Date: February 11, 2005

MAIL STOP RCE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of:  
Jürgen Eck, *et al.*

Conf. No.: 3271

: Group Art Unit: 1644

Appln. No.: 09/347,064

: Examiner: Gerald R. Ewoldt, Ph.D.

Filing Date: July 2, 1999

: Attorney Docket No.: 9282-5  
: (B 3521 US)

Title: NUCLEIC ACIDS ENCODING FUSION PROTEINS BASED ON RIBOSOME-INACTIVATING PROTEINS OF THE MISTLETOE *VISCUM ALBUM*

**AFTER FINAL REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**UNDER 37 C.F.R. 1.114**

This is a request under 37 CFR 1.114 for continued examination (RCE) of the above identified application in response to the Office Action mailed March 11, 2004, in lieu of filing a brief after the Notice of Appeal filed August 13, 2004. Enclosed are the following in support of the RCE under 37 C.F.R. 1.114:

- ☐ Enter the unentered Amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the above application.
- ☒ An Amendment/Request for Reconsideration.
- ☐ An Information Disclosure Statement, PTO/SB/08A and cited references.
- ☐ New formal drawings.
- ☒ A Petition for Extension of Time to February 14, 2005 (February 13 being a Sunday) for the pending application.
- ☒ Other: Declaration of Martin Langer Under 37 C.F.R. § 1.132, with *curriculum vitae* as Appendix A thereto and references cited therein.

The following fees are enclosed:

02/15/2005 WASFAW1 00000043 09347064

01 FC:2801

395.00 0P

☒ RCE fee of \$395.00 required under 37 C.F.R. 1.17(e).

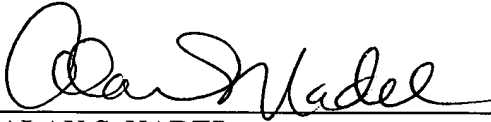
☒ Extension of time fee in the amount of \$795.00

- [X] Additional claim fees of **\$375.00** for excess claims submitted in the enclosed Amendment, calculated as follows:

					SMALL ENTITY		LARGE ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL	35	(-)	or 20	15	x25	375	x50	
INDEP.		(-)	or 3		x100	0	x200	
[ ] 1st PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					+\$180	0	+\$360	
					<b>TOTAL</b>	<b>\$375.00</b>	<b>TOTAL</b>	

- [X] Firm check totaling **\$1,565.00** is enclosed herewith.
- [X] The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (**Billing No. 209282.0005**) as noted below. A duplicate copy of this sheet is enclosed.
- [X] Any overpayments or deficiencies in the above-calculated fee(s).
- [ ] RCE fee in the amount of \$\_\_\_\_.00.
- [ ] Extension fee in the amount of \$\_\_\_\_.00.
- [ ] Additional claim fee(s) in the amount of \$\_\_\_\_.00 as calculated above.
- [X] Any additional fees required under 37 C.F.R. §§ 1.16 or 1.17.
- [X] In the event that a Petition for Extension of Time is required, but not enclosed, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

**CORRESPONDENCE ADDRESS**

February 11, 2005 By:   
 (Date)

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ASN:hg  
 Enclosures